

From: Michael Merino
Date: February 24, 2020 at 3:03:04 PM EST
To: "Reid, Erin (USANYE)"
Subject: US vs. Genaro Garcia Luna - Indictment No. CR19.576

Ms. Reid:

Good afternoon.

As you are aware, the undersigned represents the above-referenced Defendant in connection with the sale of certain real property he owns through a corporate entity called GL & Associates Consulting LLC ("GL"). The corporate entity GL owns the property located at 2980 NE. 207th St., Unit 507 and Aventura, Florida. I have left you a few messages on your voice mail to follow up on our initial phone conference, but unfortunately, I have been unsuccessful in locating you.

Please note that we are currently under contract. Upon the examination of title, and in particular, a name search of the defendant, the above referenced indictment appeared. Prior to insuring title to the property, the title insurance underwriter is requiring a satisfactory waiver and release from the United States of America releasing any and all claims or interest it may have in the subject property including any rights of forfeiture arising out of said indictment. As we discussed previously, we need to know whether or not the property can be sold with the proceeds being held in escrow or under the supervision of the court pending the outcome of the case and if it is possible for the property to be sold, we would like to know the procedure, logistics, etc so that we can finalize the sale. Under the terms and conditions of the contract, the buyer has already deposited \$100,000 into escrow. The buyer is very anxious to close the transaction. Please let me know whether or not this purchase and sale is possible. If it is not possible, please let me know as soon as possible so I can inform all parties involved. Time is of the essence. I look forward to hearing from you soon.



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March 23, 2020

Assistant U.S. Attorney Michael Robotti
United States Attorney's Office
Eastern District Of New York
271 Cadman Plaza East
Brooklyn, NY 11201

RE: *USA vs. Genaro Garcia Luna – Indictment No. CR.19.576*
Our file #20-064

Dear Assistant U.S. Attorney Robotti:

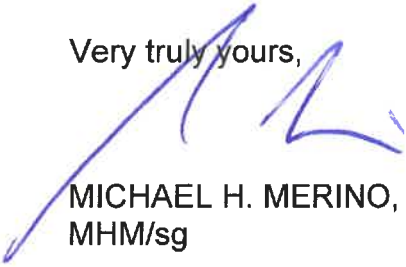
Please be advised that the undersigned has been retained to represent GL and Associates Consulting LLC the owner of a commercial office condominium located in Aventura, Florida which is under contract to be sold to a third party.

It is my understanding that Mr. Genaro Garcia Luna who is currently under indictment is a principal of GL and Associates Consulting LLC. I had previously reached out to Assistant US Attorney Erin Reid who advised me that although "the government has not taken any affirmative steps to restrain or forfeit the property" the U.S. Government would not be "waiving the right to seek the restraint and forfeiture of [the] property in the future." She further indicated that the US Government would not be signing "any waiver regarding the property." In our last conversation, I proposed allowing the transaction to close and thereafter, placing the monies in escrow pending the outcome of the criminal case or forwarding the monies to the US Government to be held pending the outcome of the case. However, it does not appear that the US Government is interested in any such proposal. As such, in light of the fact that there is nothing in the chain of title preventing this property from being sold and by your own agencies admission that you have not taken any "affirmative steps to restrain or forfeit the property," we will presume title is clear and there are no impediments to closing the transaction. Unless some affirmative step is taken by the US Government to restrain or forfeit the property or a Lis Pendens is filed in the public record which would prevent clear title from being transferred to the prospective Buyer, please let

this correspondence serve as our formal notice that we will be proceeding to closing within the next thirty days (30) days.

In the meantime, if you have any questions or if you would like to discuss this matter further, please do not as it did to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'MHM', is written over the typed name.

MICHAEL H. MERINO, ESQ.
MHM/sg